

BLAKELY 1279 Oakmead Parkway
SOKOLOFF Sunnyvale, California 94086
TAYLOR & (408) 720-8598 Telephone
ZAFMAN (408) 720-9397 Facsimile

A Partnership
Including Law

Facsimile Transmittal SheetDate: 4/15/2002**URGENT**

Deliver to Examiner: Kevin Burd

Fax No. 703-872-9314

FROM BSTZ:

Attorney: Edwin H. Taylor
Reg. No.: 25,129
Phone No. (408) 720-8598
Operator: Conny Willesen
Page 1 of 36

U.S. PATENT & TRADEMARK OFFICE

Art Unit: 2631
Serial No.: 09/221,291
Filing Date: 12-23-1998

Message:

Faxed as per your request.

CONFIDENTIALITY NOTE

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

IF YOU EXPERIENCE ANY DIFFICULTY IN RECEIVING THE ABOVE PAGES, PLEASE CALL (408) 720-8598 AND ASK FOR THE OPERATOR NAMED ABOVE.

Certificate of Facsimile Transmission

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademarks Office in accordance with 37 CFR § 1.6(d), on 4/15/2002

Conny Willesen4-15-02

Date

ENTERED

FEB 26 2002

STATUS DB-LA

RECEIVED

FEB 26 2002

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN
LOS ANGELES

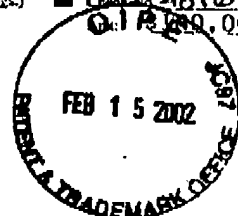
Serial/Patent No.: 09/221,291 Filing/Issue Date: 12-23-98
 Client: And Yet, Inc.
 Title: Biphase Multiple Level Communications

BSIZ File No.: 003921.P005 Atty/Secy Initials: EHT/cvw
 Date Mailed: 02-07-02 Docket Due Date: 01-21-02; 02-21-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Amendment/Response (<u>7</u> pgs.) | <input type="checkbox"/> Express Mail No.: | <input checked="" type="checkbox"/> Check No. <u>48163</u> |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs.) (in triplicate) | <input checked="" type="checkbox"/> <u>TWO</u> Month(s) Extension of Time | Amt: <u>\$200.00</u> |
| <input type="checkbox"/> Application - Utility (<u> </u> pgs., with cover and abstract) | <input checked="" type="checkbox"/> <u>Minimum</u> Declaration Statement & PTO 149 (<u>3</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>48161</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Continuation (<u> </u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal | <input type="checkbox"/> Check No. <u>48160.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (<u> </u> pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (<u> </u> pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (<u> </u> pgs.) | <input type="checkbox"/> Petition for <u> </u> | |
| <input type="checkbox"/> Application - Design (<u> </u> pgs.) | <input type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (<u> </u> pgs.) | <input checked="" type="checkbox"/> Power of Attorney (<u>4</u> pgs.) | |
| <input type="checkbox"/> Application - Provisional (<u> </u> pgs.) | <input type="checkbox"/> Preliminary Amendment (<u> </u> pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (<u> </u> pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Disclosure Docs & Dig & Copy of Invention Signatures (<u> </u> pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>13</u> # of sheets includes <u>15</u> figures (formals) | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

Other: Duplicate Information Disclosure Statement, copies of cited art (Total=4), and Submission of Formal Drawings (1pg) and a duplicate thereof.



Serial/Patent No.: 09/221,291 Filing/Issue Date: 12-23-98
 Client: And Yet, Inc.
 Title: Biphase Multiple Level Communications

BSTZ File No.: 003921.P005 Atty/Secty Initials: EHT/cvw
 Date Mailed: 02-07-02 Docket Due Date: 01-21-02; 02-21-02

The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:

- | | | |
|--|---|--|
| <input checked="" type="checkbox"/> Amendment/Response (<u>7</u> pgs.) | <input type="checkbox"/> Express Mail No.: | <input checked="" type="checkbox"/> Check No. <u>48163</u> |
| <input type="checkbox"/> Appeal Brief (<u> </u> pgs.) (in triplicate) | <input checked="" type="checkbox"/> <u>Two</u> Month(s) Extension of Time | Amt: <u>\$200.00</u> |
| <input type="checkbox"/> Application - Utility (<u> </u> pgs., with cover and abstract) | <input checked="" type="checkbox"/> Information Disclosure Statement (<u>3</u> pgs.) | <input checked="" type="checkbox"/> Check No. <u>48161</u> |
| <input type="checkbox"/> Application - Rule 1.3(b) Continuation (<u> </u> pgs.) | <input type="checkbox"/> Issue Fee Transmittal | Amt: <u>\$180.00</u> |
| <input type="checkbox"/> Application - Rule 1.53(b) Divisional (<u> </u> pgs.) | <input type="checkbox"/> Notice of Appeal | |
| <input type="checkbox"/> Application - Rule 1.53(b) CIP (<u> </u> pgs.) | <input type="checkbox"/> Petition for Extension of Time | |
| <input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (<u> </u> pgs.) | <input type="checkbox"/> Petition for <u> </u> | |
| <input type="checkbox"/> Application - Design (<u> </u> pgs.) | <input checked="" type="checkbox"/> Postcard | |
| <input type="checkbox"/> Application - PCT (<u> </u> pgs.) | <input checked="" type="checkbox"/> Power of Attorney (<u>4</u> pgs.) | |
| <input type="checkbox"/> Application - Provisional (<u> </u> pgs.) | <input type="checkbox"/> Preliminary Amendment (<u> </u> pgs.) | |
| <input type="checkbox"/> Assignment and Cover Sheet | <input type="checkbox"/> Reply Brief (<u> </u> pgs.) | |
| <input checked="" type="checkbox"/> Certificate of Mailing | <input type="checkbox"/> Response to Notice of Missing Parts | |
| <input type="checkbox"/> Declaration & POA (<u> </u> pgs.) | <input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business | |
| <input type="checkbox"/> Unknown Duct & Copy of Name Signed Letter (<u> </u> pgs.) | <input checked="" type="checkbox"/> Transmittal Letter, in duplicate | |
| <input checked="" type="checkbox"/> Drawings: <u>13</u> # of sheets includes <u>15</u> figures (formals) | <input checked="" type="checkbox"/> Fee Transmittal, in duplicate | |

☒ Other: Duplicate Information Disclosure Statement, copies of cited art (Total=4), and Submission of Formal Drawings (1pg) and a duplicate thereof

PTO/SB/17(09/00)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** 380.00**Complete if Known:**

Application No. 09/221,291
 Filing Date December 23, 1998
 First Named Inventor Martin H. Graham
 Group Art Unit 2631
 Examiner Name Kevin Burd
 Attorney Docket No. 003921.P005

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2686
 Deposit Account Name _____

☐ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed: ☒ Check
☐ Money Order
☐ Other

FEE CALCULATION**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility application filing fee	_____
106	330	206	165	Design application filing fee	_____
107	510	207	255	Plant filing fee	_____
108	740	208	370	Reissue filing fee	_____
114	160	214	80	Provisional application filing fee	_____
SUBTOTAL (1) \$ 0					_____

2. EXTRA CLAIM FEES

		Extra Claims	Fee from below	Fee Paid
Total Claims	_____	- 20** = _____	X _____	= _____
Independent Claims	_____	- 3** = _____	X _____	= _____
Multiple Dependent	_____		_____	= _____

**Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 0

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Code</u>	<u>Fee (\$)</u>	<u>Code</u>	<u>Fee (\$)</u>		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
099	8,800	099	8,800	Request for inter parties reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	200.00
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	180.00
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For filing a submission after final rejection (see 37 CFR 1.129(a))	
148	110	248	55	Statutory Disclaimer	
149	740	249	370	For each additional invention to be examined (see 37 CFR 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
195	300	195	300	Publication fee for early, voluntary, or normal pub.	
196	300	196	300	Publication fee for republication	
194	130	194	130	Request for voluntary publication or republication	
098	130	098	130	Processing fee under 37 CFR 1.17(l) (except provisionals)	
091	1,280	091	1,280	Acceptance of unintentionally delayed claim for priority	
Other fee (specify) _____					
Other fee (specify) _____					
SUBTOTAL (3) \$ 380.00					

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:Typed or Printed Name: Edwin H. TaylorSignature: Date: 4/7/02Reg. Number: 25,129Telephone Number: 408-720-8300

Attorney's Docket No.: 003921.P005PatentIn re the Application of: Martin H. Graham
(inventor(s))Application No.: 09/221,291Filed: December 23, 1998For: Biphase Multiple Level Communications

(title)

ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

SIR: Transmitted herewith is an Amendment for the above application.

- ☒ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
- ☐ No additional fee is required.
- ☒ A request for two-month extension of time, an I.D.S., formal drawings, and related fees.

The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	Claims Remaining After Amd.		Highest No. Previously Paid For	Present Extra
Total Claims	* 13	Minus **	20	0
Indep. Claims	* 3	Minus ***	3	0
First Presentation of Multiple Dependent Claim(s)				

* If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.

** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space. The "Highest No. Previously Paid For" (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment or the number of claims originally filed.

SMALL ENTITY	
Rate	Additional Fee
X9	\$ 0
X42	\$ 0
+140	\$ 0
Total Add. Fee	\$ 0

OTHER THAN A SMALL ENTITY	
Rate	Additional Fee
X18	\$
X84	\$
+280	\$
Total Add. Fee	\$

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231

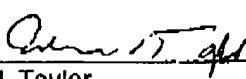
on February 7, 2002
Date of DepositCONNY WILLI FSEN

Name of Person Mailing Correspondence

Conny Willifsen
Signature02-07-02
Date

- ☐ A check in the amount of \$_____ is attached for presentation of additional claim(s).
☒ Applicant(s) hereby Petition(s) for an Extension of Time of Two month(s) pursuant to 37 C.F.R. § 1.136(a).
☒ A check for \$ 200.00 is attached for processing fees under 37 C.F.R. § 1.17.
☐ Please charge my Deposit Account No. 02-2666 the amount of \$_____.
A duplicate copy of this sheet is enclosed.
☒ The Commissioner of Patents and Trademarks is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 02-2666 (a duplicate copy of this sheet is enclosed):
☒ Any additional filing fees required under 37 C.F.R. § 1.16 for presentation of extra claims.
☒ Any extension or petition fees under 37 C.F.R. § 1.17.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: 2/7, 2002
Edwin H. Taylor

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
(408) 720-8300

Reg. No. 25,129